

Docket No.: 01 P 04581 US
App. No.: 09/809,457

Amendments to the Drawings:

The attached sheets (2) of drawings include changes to FIG. 1 and FIG. 2. These sheets replace the original drawing sheets of FIG. 1 and FIG. 2. In FIG. 1, labels have been added to elements 12, 14 and 16 and a misspelling of FIFO has been corrected. In FIG. 2, a misspelling of transceiver has been corrected.

Attachment: Two (2) replacement sheets

Docket No.: 01 P 04581 US
App. No.: 09/809,457

REMARKS

Claims 1-11 and 14-15 are pending in the Application. Claims 7, 10 and 11 have been amended. Claims 12 and 13 have been canceled without prejudice.

Drawings

The Patent Office objected to the drawings.

Amended drawing figures have been submitted with this response.

Claim Rejections - 35 U.S.C. § 102

The Patent Office rejected claims 7-15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 4,656,627 by Hasley et al., ("Hasley").

Claim Rejections - 35 U.S.C. § 103

The Patent Office rejected claims 1-6 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,656,627 by Hasley et al., ("Hasley") in view of U.S. Patent 6,002,675 by Ben-Michael et al., ("Ben-Michael").

Applicant respectfully traverses both rejections. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, "anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983). Emphasis added. Additionally, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Ryoka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also *In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970).

Docket No.: 01 P 04581 US
App. No.: 09/809,457

Applicant respectfully submits claims 1, 7 and 11 include elements which have not been disclosed, taught or suggested by Hasley or Ben-Michael, singularly or in combination. For example, claim 1 recites placing the other bidding port addresses in a queue. Claims 7 and 11 recite other port addresses are placed in a queue, each port maintaining a copy of the queue. The bus of the present application includes ports which monitor the bus. Each port may maintain a copy of the queue and writes to the bus in turn based on the queue. Ports may take possession of the bus in the order in which they placed bids for access. (Instant Application, Page 9, Lines 16-23).

Hasley and Ben-Michael, singularly or in combination, fail to teach, disclose or suggest other port addresses are placed in a queue, each port maintaining a copy of the queue. The Patent Office acknowledges that Hasley fails to disclose a buffer, and thus fails to disclose maintaining a copy of bidding port addresses in a queue. (Office Action of October 20, 2004, Page 5). However, the Patent Office asserts that Ben-Michael discloses a buffer. While Ben-Michael discloses a buffer, Ben-Michael fails to disclose a buffer for storing a port addresses in a queue, each port maintaining a copy of the queue. The Patent Office points to Column 5, Lines 14-15 of Ben-Michael for support of its assertion which states "Data associated with Ethernet port 204A-1 is stored in "transmit and receive" buffer 210." The data associated with the Ethernet ports does not include port addresses. Rather, the buffers store receive and transmitted packets. (Ben-Michael, Column 17, Line 48 to Column 18, Line 11). Ben-Michael fails to disclose, teach or suggest placing the other bidding port addresses in a queue, each port maintaining a copy of the queue. Consequently, claims 1, 7 and 11 include elements which have not been disclosed, taught or suggested by Hasley and Ben-Michael. Accordingly, claims 1, 7 and 11 should be allowed. Claims 2-6, 8-10 and 14-15 are allowable based upon their dependence upon an allowable base claim.

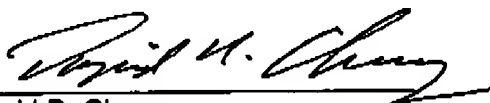
Docket No.: 01 P 04581 US
App. No.: 09/809,457

Conclusion

Applicants respectfully submit that all claims are allowable, and it is respectfully requested that the entire application now be passed to formal allowance.

Respectfully Submitted,

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